

JHSUNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA

Amiri Johnson

17 2542

(In the space above enter the full name(s) of the plaintiff(s).)

- against -

Ryan Del Ricci;

Michael Silebothan;

Officer John Doe #1;

Officer John Doe #2;

Officer John Doe #3;

Officer John Doe #4; and

Officer John Doe #5.

COMPLAINT

under the
Civil Rights Act, 42 U.S.C. § 1983
(Prisoner Complaint)Jury Trial: ☒ Yes ☐ No
(check one)

(In the space above enter the full name(s) of the defendant(s). If you cannot fit the names of all of the defendants in the space provided, please write "see attached" in the space above and attach an additional sheet of paper with the full list of names. The names listed in the above caption must be identical to those contained in Part I. Addresses should not be included here.)

I. Parties in this complaint:

- A. List your name, identification number, and the name and address of your current place of confinement. Do the same for any additional plaintiffs named. Attach additional sheets of paper as necessary.

Plaintiff

Name Amiri Johnson (ML-1851)

ID #

Current Institution

Address 301 Morea Road

Frackville, PA 17932

- B. List all defendants' names, positions, places of employment, and the address where each defendant may be served. Make sure that the defendant(s) listed below are identical to those contained in the above caption. Attach additional sheets of paper as necessary.

Defendant No. 1 Name Ryan Del Ricci, Phila Police Officer Shield # 2120
Where Currently Employed Philadelphia Police Department 35th District
Address _____

Defendant No. 2 Name Michael Sidebotham Police Officer Shield # 3586
Where Currently Employed Philadelphia Police Department 5th District
Address _____

Defendant No. 3 Name John Doe #1, Police Officer Shield # Unknown
Where Currently Employed Philadelphia Police Department 5th District
Address _____

Defendant No. 4 Name John Doe #2, Police Officer Shield # Unknown
Where Currently Employed Philadelphia Police Department 5th District
Address _____

Defendant No. 5 Name John Doe #3, Police Officer Shield # Unknown
Where Currently Employed _____
Address _____

II. Statement of Claim:

State as briefly as possible the facts of your case. Describe how each of the defendants named in the caption of this complaint is involved in this action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Attach additional sheets of paper as necessary.

A. In what institution did the events giving rise to your claim(s) occur? _____

B. Where in the institution did the events giving rise to your claim(s) occur? _____

C. What date and approximate time did the events giving rise to your claim(s) occur? _____

Defendant No. 6 John Doe #4, Police Officer Shield # Unknown

Philadelphia Police Department 5th District

Defendant No. 7 John Doe #5, Police Officer Shield# Unknown

Philadelphia Police Department 5th District

All the Defendants are sued in their individual and official capacity.

II. STATEMENT OF FACTS

1. On June 1, 2015, Plaintiff Aniri Johnson (hereafter "Plaintiff"), exited Sunny's Deli on the 4800 Block of North Broad Street, in Philadelphia.

2. Defendants Sidebothan and Ricci approached Plaintiff. Defendant Sidebothan said to Plaintiff "What are you doing?" Plaintiff stated "I'm going to see a friend." "You fit the subscription of a suspect," Ricci said. "Come here!" Ricci insisted with aggression.

3. With knowledge of the prior police shootings in his mind, and fear for his life, Plaintiff ran.

4. Ricci and Sidebothan gave chase.

5. Ricci caught the Plaintiff and tackled him to the ground.

6. With Plaintiff on his stomach, Ricci placed him in handcuff restraints, and began punching Plaintiff in the face and jaw with a closed fist at least "ten times."

7. Defendant Sidebothan, Doe #1, Doe #2, Doe #3, Doe #4 and Doe #5 appeared on the scene and failed to take any corrective action or intervene on the behalf of Plaintiff being punched with closed fist by Defendant Ricci.

8. Defendant Ricci blows to Plaintiff's face and body while he

was already restrained and Doe #1, Doe #2, Doe #3, Doe #4 and Doe #5 failure to intervene or stop Ricci or take some form of corrective action was captured on video.

9. Plaintiff was finally taken to Einstein Medical for treatment for his injuries.

10. Plaintiff received bruises, abrasions, lacerations and back pain from the beaten and blows by Defendant Ricci while was already restrained.

11. Plaintiff suffered from unwarranted pain, mental anguish, headaches from the said beater, and was treated by doctors for these injuries.

12. Plaintiff is presumed innocent until proven guilty in a court of law.

III. LEGAL CLAIMS

COUNT ONE

13. The actions of Defendant Ricci striking Plaintiff with a close fist to the face after he was already restrained was done maliciously and sadistically and constituted a misuse of force and cruel and unusual punishment in violation of the Eighth Amendment of the United States Constitution.

COUNT TWO

14. The inactions of Defendant Sidebothan, Doe #1, Doe #2, Doe #3, Doe #4 and Doe #5 in failing to intervene to prevent Defendant Ricci's said misuse of force, where done maliciously and sadistically and constituted cruel and unusual punishment in violation of the

Eighth Amendment of the United States Constitution.

15. The Doe's identities will be revealed through the discovery proceedings of the case.

RELIEF REQUESTED

WHEREFORE, Plaintiff respectfully request the court to issue a declaratory judgment stating that:

1. The actions and inactions of Defendants Ricci, Sidebothan, Doe #1, Doe #2, Doe #3, Doe #4 and Doe #5 violated the Plaintiff's rights under the Eighth Amendment to the United States Constitution.

2. That through the jury trial process, Plaintiff be awarded compensatory damages in the following amounts:


A. \$100,000 jointly and severally against Defendants Ricci, Sidebothan, Doe #1, Doe #2, Doe #3, Doe #4 and Doe #5.

B. That Plaintiff be awarded punitive damages in the following amounts:

\$50,000 each against Defendants Ricci, Sidebothan, Doe #1, Doe #2, Doe #3, Doe #4 and Doe #5.

Date: 5-30-17

Respectfully submitted,


Aniri Johnson

Aniri Johnson ()
301 Morea Road
Frackville, Pa 17932

May 30, 2017

Clerk of Court
United States District Court
601 Market Street
Philadelphia, PA 19106

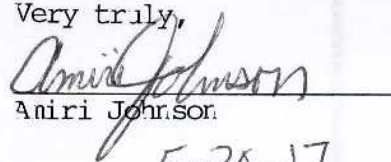
RE: Civil Action filing

Dear Clerk of Court:

I wrote to the Court about two weeks ago for a pro se civil packet. I have not yet received a response. Because of statute of limitations, please find enclosed the complaint. Once I receive the informa pauperis forms and other papers, I will promptly forward them to your office.

Thank you for your attention in this matter.

Very truly,


Aniri Johnson

5-30-17

